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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/663,363	09/15/2000	Yoon Kean Wong	PALM-3303.US.P	2503

7590 10/22/2004
Wagner Murabito & Hao L L P
Two North Market Street Third Floor
San Jose, CA 95113

EXAMINER

FRENEL, VANEL

ART UNIT	PAPER NUMBER
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3626

DATE MAILED: 10/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/663,363

Applicant(s)

WONG, YOON KEAN

Examiner

Vanel Frenel

Art Unit

3626

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 August 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Notice to Applicant

1. This communication is in response to the Amendment filed 08/02/04. Claims 1-24 are pending.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Goyal et al (5,873,108), Koyabu et al (6,026,333) in view of Young et al (2004/0008971).

(A) As per the added features to claim 1, Goyal and Koyabu do not explicitly disclose "that is used for accessing stored data in a computer and for storing entered data in the computer at that clock time of day".

However, this feature is known in the art, as evidenced by Young. In particular, Young suggests "that is used for accessing stored data in a computer and for storing entered data in the computer at that clock time of day". (See Young, Page 7, Paragraphs 0118-0120).

It would have been obvious to one of ordinary skill in the art at the time of the invention to have included the feature of Young within the collective teachings Goyal

Art Unit: 3626

and Koyabu with the motivation of providing a television schedule system and process with a user interface that is configured to compensate for the particular nature of the television schedule information (See Young, Page 1, Paragraph 0011).

(B) Claim 3 was apparently amended to include the words "the computer that is". However, these changes do not affect the scope and the breadth as originally presented/or in the manner in which the claim was interpreted by the Examiner when applying prior art within the previous Office Action. As such, this claim is rejected under the same reason given in the prior Office Action, and incorporated herein.

(C) As per the added features to claim 4, Goyal discloses "providing for editing of data categorized in the default data category" (See Goyal, FIG.20, Col.11, lines 21-31).

(D) As per the added features to claim 9, Goyal and Koyabu do not explicitly disclose "that is used for accessing stored data in the palmtop computer and for storing entered data in the palmtop computer at that clock time of day".

However, this feature is known in the art, as evidenced by Young. In particular, Young suggests "that is used for accessing stored data in a computer and for storing entered data in the computer at that clock time of day".

It would have been obvious to one of ordinary skill in the art at the time of the invention to have included the feature of Young within the collective teachings Goyal and Koyabu with the motivation of providing a television schedule system and process

Art Unit: 3626

with a user interface that is configured to compensate for the particular nature of the television schedule information (See Young, Page 1, Paragraph 0011).

(E) As per the added features to claim 12, Goyal discloses "providing for editing of data categorized in the default data category" (See Goyal, FIG.20, Col.11, lines 21-31).

(F) As per the added features to claim 16, Goyal and Koyabu do not explicitly disclose "that is used for accessing stored data in the programmed processor and for storing entered data in the programmed processor at that clock time of day".

However, this feature is known in the art, as evidenced by Young. In particular, Young suggests "that is used for accessing stored data in a computer and for storing entered data in the computer at that clock time of day" (See Young, Page 7, Paragraphs 0118-0120).

It would have been obvious to one of ordinary skill in the art at the time of the invention to have included the feature of Young within the collective teachings Goyal and Koyabu with the motivation of providing a television schedule system and process with a user interface that is configured to compensate for the particular nature of the television schedule information (See Young, Page 1, Paragraph 0011).

(G) As per the added features to claim 21, Young discloses "in a computer at that clock time of day" (See Young, Page 7, Paragraphs 0118-0120).

Art Unit: 3626

(H) Claims 2, 5-8, 10-11, 13-15, 17-20 and 22-24 have not been amended and are therefore rejected for the same reasons given in the previous Office Action, and incorporated herein.

Response to Arguments

4. Applicant's arguments filed on 08/02/04 with respect to claims 1-24 have been considered but are moot in view of the new ground(s) of rejection.

Applicant's argues Goyal reference fails to expressly teach, suggest or disclose referencing a time of day profile that correlates clock time of day information with data categories.

In response to Applicant's argument, Examiner respectfully submits that Koyabu clearly teaches a time for a sales date which correspond to Applicant's claimed feature. Therefore, Applicant argument is not persuasive.

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the

Art Unit: 3626

shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vanel Frenel whose telephone number is 703-305-4952. The examiner can normally be reached on Monday-Thursday from 6:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Thomas can be reached on 703-305-9588. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

V.F
V.F

October 7, 2004



**ALEXANDER KALINOWSKI
PRIMARY EXAMINER**